

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,	:	
	:	
v.	:	CRIMINAL NO. 10-478
	:	CIVIL NO. 12-975
	:	
RICHARD CREAMER	:	
	:	
	:	
	:	

**ORDER**

**AND NOW**, this 24th day of August 2012, upon consideration of Defendant's *pro se* Motion to Vacate, Set Aside, or Correct [a] Sentence by a Person in Federal Custody pursuant to 28 U.S.C. § 2255 (Doc. No. 131), the Government's Response in Opposition to Defendant's Motion (Doc. No. 138), Defendant's Reply (Doc. No. 139), the Government's Sur-Reply (Doc. No. 142), and Defendant's Sur-Sur-Reply (Doc. No. 144), and after a review of the record, it is **ORDERED** as follows:

1. Defendant's Motion to Vacate, Set Aside, or Correct [a] Sentence by a Person in Federal Custody pursuant to 28 U.S.C. § 2255 (Doc. No. 131) is **DENIED** without an evidentiary hearing.
2. The Court finds no ground upon which to issue a certificate of appealability.

BY THE COURT:

/s/ Joel H. Slomsky, J.  
JOEL H. SLOMSKY, J.